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Patent Capital Group 6119 McCommas Blvd Dallas, TX 75214			WRIGHT, BRYAN F	
			ART UNIT	PAPER NUMBER
			2431	
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			01/24/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/521,933

Applicant(s)

POOL, KENNETH D.

Examiner

BRYAN WRIGHT

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

In view of the Supplemental Appeal Brief filed on 9/1/2010, PROSECUTION IS HEREBY REOPENED. A new ground of rejection cited under prior art references Holcombe, Ginter and Montague is set forth below. To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or, (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid. A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below. Claims 1-23 and 25 are pending.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. The Examiner contends applicant's claim 23 subject matter of the within class resolution rule and the equivalent class resolution rule does not have antecedent basis. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holcombe (US Patent No. 6,671,696) in view of Ginter (US Patent No. 6,363,488) and further in view of O' Rourke et al. (US Patent Publication No. 2002/0138607 and Rourke hereinafter).

As to claim 1, Holcombe teaches a method for regulating access to an object comprising the steps of:

identify one of the plurality of users as an owner of the object (i.e., ...teaches the Authoring system identifies any information that the offeree Member is permitted to access from Informational Objects authored by prior owners or possessors of any information that had been authored by any other Members [col. 6, lines 30-55]);

determining if a selected one of the plurality of users (e.g., offeree Member) has access to the object by determining if the relationship characteristics on at least one path between the selected one of the plurality of users and the owner of the object is a trusted relationship between each of the users on that path (i.e., ...teaches the Authoring system identifies any information that the offeree Member is permitted to

access from Informational Objects authored by prior owners or possessors of any information that had been authored any other Members [col. 9, lines 55-67]),

wherein said path includes at least one additional user (e.g., possessor or prior owner) beside said owner (e.g., offertory Member) of the object and the selected one of the plurality of users (e.g. offeree Member) [col. 9, lines 46-53],

Holcombe does not expressly teach:

and access to the object for the additional user is granted by the selected one and wherein the additional user (e.g., .member) defines (e.g., modify) additional relationship characteristics that grant access to additional objects being held by the additional user, however the Examiner contends that prior art reference Ginter disclosed at the time of applicant's original filing a distribution of access rights starting from the originator. The originator grants access to informational object to a distributor (e.g., additional user). The distributor subsequently grants a user access to the informational object. See Ginter figure 79.

Therefore given Holcombe's ability to create information objects, a person with ordinary skill in the art would have recognized the advantage of modifying Holcombe to enhance informational object permission control by employing Ginter's capability to extend access permission to additional users.

The system of Holcombe and Ginter does not expressly teach applicant's claim limitation element of for a plurality of users, allowing each user to designate the

relationship characteristics between that user and any other user, however the Examiner contends that prior art reference Rourke disclosed in paragraph 174 a user may designate a relationship (e.g., buddy) with another user within the system. Therefore given Holcombe and Ginter's ability to create information objects, a person with ordinary skill in the art would have recognized the advantage of modifying Holcombe to enhance access control by employing Rourke's capability to allow users to designate relationships with other users.

As to claim 2, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include one or more conditions such that the relationship characteristics are valid if and only if the one or more conditions are met (i.e.,teaches permissions are attributes associated with either Data Elements or Informational Objects that control access by Members. Permissions may have either a positive or a negative effect. Permissions may be exclusive or non-exclusive, conditional or permanent, and/or limited or unrestricted, or any combination thereof [col. 10, lines 40-67]).

As to claim 3, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include one or more methods of determining a condition such that the relationship is valid if and only if the one or more methods of determining a condition confirm validity of the relationships characteristic (i.e., ...teaches and a Member may set initial Permissions concerning access by other

Members to the information and/or instructions of the Member's ID Informational Object, including Permissions requiring compensation payable before access is permitted to the Member's ID Informational Object [col. 11, lines 10-35]).

As to claim 4, Holcombe teaches a method for regulating access to an object as where the owner (e.g., member who created the object) of an object may designate another user (e.g., other member) as acting on behalf of the owner (i.e., ...teaches a Member may set initial Permissions concerning access by other Members to the information and/or instructions of the Member's ID Informational Object, including Permissions requiring compensation payable before access is permitted to the Member's ID Informational Object [col. 11, lines 10-35]).

As to claim 5, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include a trust relationship between the trusted user (e.g., other members or classes of members) and the designating user (e.g., member/owner) (i.e., ...teaches the Member selects predefined Data Elements which identify other Members (or classes of Members) of the Authoring system 10 as search criteria to thereby filter the universe of Members. The Member also sets access Permissions, including compensation Permissions, to activate these parameters [col. 11, lines 10-25]).

As to claim 6, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include a trust relationship between the trusted user and the designating user, wherein the trust relationship limits the tasks the trusted user may perform (i.e., ...teaches the Member, who is the Owner of a selected Informational Object, initiates the process to set access Permissions for the selected Informational Object. Teaches that the Member identifies whether any access is permitted. If no other Members are permitted to access this Informational Object, then processing advances where the Informational Object is noted as being unavailable to any other Members and processing exits. If the Member notes that some form of access is permitted, the Member can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object. If so, processing advances where the Member identifies, using only the Membership Database, the selected other Members who are authorized to access this Informational Object and the Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 10-25]).

As to claim 7, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include a trust relationship between the trusted user and the designating user, wherein the trust relationship limits the objects the trusted user may access (i.e., ..teaches the selected other Members who are authorized to access the Informational Object [col. 11, lines 10-25]).

As to claim 8, Holcombe teaches a method for regulating access to an object as where the trust relationship is limited to types of objects (i.e., ...teaches the selected other Members who are authorized to access the Informational Object [col. 11, lines 10-25]).

As to claim 9, Holcombe teaches a method for regulating access to an object as where the trust relationship is limited to selected of objects (i.e., ...teaches the selected other Members who are authorized to access Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 25-35]).

As to claim 10, Holcombe teaches a method for regulating access to an object as where the trust relationship characteristics include a distrusted relationship between the distrusted user (e.g., other member) and the designating user (e.g., member) (i.e., ...teaches non-selected members that do get to access the data objects [col. 11, lines 25-35]).

As to claim 11, Holcombe teaches a method for regulating access to an object as where the distrusted relationship has an intermediary scope (i.e., ..the Examiner notes that a distinction as to the scope of applicant's term "intermediary scope" cannot be construed by referencing applicant's specification, therefore the Examiner has given the

claim it's broadest reasonable interpretation. As such the Examiner contends that col. 11, lines 25-35 of Holcombe illustrates the scope of regulating access to an object wherein a non-selected member (e.g., distrusted))

As to claim 12, Holcombe teaches a method for regulating access to an object as where the distrusted relationship has an terminal scope. (i.e., ..the Examiner notes that a distinction as to the scope of applicant's term "terminal scope" cannot be construe by referencing applicant's specification, therefore the Examiner has given the claim it's broadest reasonable interpretation. As such the Examiner contends that col. 11, lines 25-35 of Holcombe illustrates the scope of regulating access to an object wherein a non-selected member (e.g., distrusted))

As to claim 13, Holcombe teaches a method for regulating access to an object where the relationship characteristics include a trust relationship between the trusted user and the designating user, wherein the trust relationship specifies a maximum number of relationships on a path (e.g., limited set of members) (i.e., ...teaches can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object [col. 11, lines 20-25]).

As to claim 14, Holcombe teaches a method for regulating access to an object where the maximum number of relationships is one (e.g., limited set of members) (i.e.,

...teaches can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object [col. 11, lines 20-25]).

As to claim 15, Holcombe teaches a method for regulating access to an object, the method comprising the steps of: identifying an object or a set of objects to which access is to be regulated (i.e., ...teaches informational objects for which is regulated with access permission [col. 11, lines 10-35]);

identifying an owner that has control of the object(s) (i.e., identifies a owner/member of a informational object [col. 9, lines 10-30]);

identifying a relationship path which would otherwise be a valid path (i.e., ...teaches what other members can access the object [col. 11, lines 10-20]) ...the relationship is generated when the other member is given access permission to a owner/member object [fig. 18]);

allowing each relationship element to specify the maximum number of subsequent elements in the path (i.e., ...teaches can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object [col. 11, lines 20-25]);

Holcombe does not expressly teach:

and classifying that relationship path as invalid if for any element in that path the number of subsequent elements in the path exceeds the limit specified by that element such that access to the object(s) is prohibited for all relationship elements in the path and only the owner can access the object(s). The Examiner notes that applicant

discloses in their specification that there is a set number of allowable users for a given object. With this capability the applicant can invalidate users that exceed this set number. The Examiner contends that prior art reference Ginter discloses limiting the number of eligible parties (e.g., elements). See Ginter figure 80 and 81. Additionally, Ginter discloses metering user activity (e.g., the ability to classify a relationship once a threshold is exceeded). The Examiner contends metering allows Ginter to make a determination (e.g., classify) that an existing relationship no longer exists when the user exceeds the threshold. See Ginter column 84, lines 1-6. Therefore given Holcombe's ability to control access to informational objects, a person of ordinary skill in the art would have recognized the advantage of modifying Holcombe to enhance Holcombe's access control with Ginter's capability to determine over-usage of an element (e.g. activity) through user activity metering thereby invalidating the user existing relationship (e.g., allowable threshold value is met).

As to claim 16, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include one or more conditions such that the relationship characteristics are valid if and only if the one or more conditions are met (i.e.,teaches permissions are attributes associated with either Data Elements or Informational Objects that control access by Members. Permissions may have either a positive or a negative effect. Permissions may be exclusive or non-exclusive, conditional or permanent, and/or limited or unrestricted, or any combination thereof. [col. 11, lines 20-35]).

As to claim 17, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include one or more methods of determining a condition such that the relationship is valid if and only if the one or more methods of determining a condition confirm validity of the relationships characteristic (i.e., ...teaches and a Member may set initial Permissions concerning access by other Members to the information and/or instructions of the Member's ID Informational Object, [col. 11, lines 20-35).

As to claim 18, Holcombe teaches a method for regulating access to an object as where the owner (e.g., member who created the object) of an object may designate another user (e.g., other member) as acting on behalf of the owner (I.e., ...teaches a Member may set initial Permissions concerning access by other Members to the information and/or instructions of the Member's ID Informational Object, [col. 11, lines 10-29]).

As to claim 19, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include a trust relationship between the trusted user and the designating user, wherein the trust relationship limits the tasks the trusted user may perform (i.e., ...teaches the Member, who is the Owner of a selected Informational Object, initiates the process to set access Permissions for the selected Informational Object. The Member identifies whether any access is permitted. If no

other Members are permitted to access this Informational Object, then processing advances to step where the Informational Object is noted as being unavailable to any other Members and processing exits. If the Member notes that some form of access is permitted, the Member can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object. If so, processing advances to step where the Member identifies, using only the Membership Database, the selected other Members who are authorized to access this Informational Object and the Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 10-29]).

As to claim 20, Holcombe teaches a method for regulating access to an object as where the relationship characteristics include a trust relationship between the trusted user and the designating user, wherein the trust relationship limits the objects the trusted user may access (i.e., ..teaches the selected other Members who are authorized to access this Informational Object and the Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 10-29]).

As to claim 21, Holcombe teaches a method for regulating access to an object as where the trust relationship is limited to types of objects (i.e., ...teaches the selected other Members who are authorized to access this Informational Object and the

Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 10-29]).

As to claim 22, Holcombe teaches a method for regulating access to an object as where the trust relationship is limited to selected of objects (i.e., ...teaches the selected other Members who are authorized to access this Informational Object and the Informational Object authoring and distribution system sets the Informational Object with this list of authorized accessing Members [col. 11, lines 10-29]).

As to claim 23, Holcombe teaches a method of resolving a conflict regarding a specified access to an object, the method comprising the steps of: identifying a set of entities that have control of the object(s) [col. 9, lines 40-50];

defining one or more classes of relationships between the object(s) and controlling entities (i.e., ...teaches The Informational Object can also contain other data, such as formatting data, Permissions data, unregistered Data Elements, registered data objects, unregistered data objects, registered data sets, and unregistered data sets. The Data Elements that are associated with a particular Informational Object are typically stored in a separate file system from the Informational Object, and are linked via the use of pointers, which comprise the Data Element unique identifiers [col. 11, lines 10-35]);

Holcombe does not expressly teach:

defining a hierarchy for the classes of object-entity relationships that is used to establish precedence in the event of an access conflict;

defining an event of access conflict as a condition wherein one or more entity relationship(s) would grant the specified access to the object(s) and one or more entity relationship(s) would deny the specified access to the object(s);

defining an equivalent class resolution rule for event(s) of access conflict wherein the controlling entity relationships for one or more relationship class to the object would grant the specified access and the controlling relationships for one more relationship class with the same level and the class relationship hierarchy would deny the specified access to the object(s);

defining a within class resolution rule for event(s) of access conflict wherein the conflict arises among multiple entities which have the same class of relationship to the object(s);

and allowing or disallowing the specified access to the object(s) based on the entity relationship(s) based on the highest level class relationship to the object, the within class resolution rule, and the equivalent class resolution rule.

However at the time of applicant's original filing, prior art reference Ginter disclosed the concept of conflict resolution and establishing precedence as described by the applicant. Ginter discloses resolution of conflicts between multiple parties pertaining to content control information and additionally Ginter further teaches that in-place control information can stipulate which subsequent one or more piece of control

from one or more parties or class of parties will take precedence over control information submitted by one or more yet different parties and/or classes of parties. See Ginter column 46, lines 35-55. With regards to applicant's claim limitation of "defining an equivalent class resolution rule for event(s) of access conflict wherein the controlling entity relationships for one or more relationship class to the object would grant the specified access and the controlling relationships for one more relationship class with the same level and the class relationship hierarchy would deny the specified access to the objects", the Examiner contends Ginter discloses hierarchical relationship and event rules in figure 80. With regards to applicant's claim limitation of defining a within class resolution rule for event(s) of access conflict wherein the conflict arises among multiple entities which have the same class of relationship to the object(s), the Examiner contends prior art reference of Ginter discloses conflict resolution step. See Ginter column 46, lines 35-55. With regards to applicant's claim limitation of "allowing or disallowing the specified access to the object(s) based on the entity relationship(s) based on the highest level class relationship to the object, the within class resolution rule, and the equivalent class resolution rule", the Examiner notes that applicant has not concisely defined what the meaning of "within class resolution rule and the equivalent class resolution rule". In this instance the Examiner has given each term the broadest reasonable interpretation and considers Ginter's disclosure of redistribution of right access starting at a distributor level to be equivalent. See Ginter column 310, lines 25-40. Therefore given Holcombe's ability to control access to informational objects, a person of ordinary skill in the art would have recognized the advantage of modifying

Holcombe to enhance Holcombe's access control with Ginter's capability to provide resolution of conflicts between multiple parties pertaining to content control information (e.g., informational object).

Claim 24 (cancelled)

10. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holcombe in view of Montague et al (US Patent No. 5,675,782).

11. As to claim 25, Holcombe teaches a method of regulating access to an object, the method comprising the steps of: identifying an object or a set of objects to which access is to be regulated [col. 11, lines 10-30];

identifying an entity that has control of the object(s) (i.e., ...teaches a member has control of the object [col. 9, lines 40-50]);

identifying a relationship path which would otherwise be a valid path (i.e., ...teaches the Member can identify whether a limited set of Members drawn only from the Membership Database can access the Informational Object.[col. 10, lines 45-50]);

Holcombe does not expressly teach:

defining a distrust relationship as the designation of a distrustee as distrusted by a distrustor;

specifying for each distrust relationship a set of zero or more conditions and/or a set of zero or more methods of determining a condition such that the relationship is valid

if and only if the said set of condition is (are) met and/or the method(s) of determining a condition confirm(s) validity;

and classifying that relationship path as invalid if for any element in that path the grantee of that element is the distrustee of the distrust relationship,

whereby the invalid relationship path prohibits access of the object(s) by any element on the path and only an owner of the object or set of objects has access to the object(s).

However at the time of applicant's original filing, prior art reference Montague disclosed the concept of defining a distrust relationship as the designation of a distrustee as distrusted by a distruster. Montague disclosed revoking access rights from a user that previously had that particular access right (Note: the Examiner considers such a user who loses access rights to be a distrustee). See Montague column lines 11, 30-40;

With regards to applicant's claim limitation of "specifying for each distrust relationship a set of zero or more conditions and/or a set of zero or more methods of determining a condition such that the relationship is valid if and only if the said set of condition is (are) met and/or the method(s) of determining a condition confirm(s) validity", the Examiner contends that Montague's disclosure of revoking will set the relationship to zero. See Montague column lines 11, 30-40.

With regards to applicant's claim limitation of classifying that relationship path as invalid if for any element in that path the grantee of that element is the distrustee of the

distrust relationship, the Examiner contends that Montague's disclosure of revoking will classify that relationship path as invalid. See Montague column lines 11, 30-40;

whereby the invalid relationship path prohibits access of the object(s) by any element on the path and only an owner of the object or set of objects has access to the object(s), the Examiner contends that Montague's disclosure of revoking will classify that relationship path as invalid. See Montague column lines 11, 30-40. Therefore given Holcombe's ability to control access to informational objects, a person of ordinary skill in the art would have recognized the advantage of modifying Holcombe to enhance Holcombe's access control with Montague's capability to provide resolution of conflicts between multiple parties pertaining to content control information (e.g., informational object).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2431

/William R. Korzuch/
Supervisory Patent Examiner, Art Unit 2431